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Paper No. 11

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In re Application of
Hickling
Application No. 09/241,994
Filed: February 2, 1999
Attorney Docket No. TECHCON.001A

OFFICE OF PETITIONS
A/C PATENTS

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 12, 2001, under 37 CFR 1.137(b).

A review of the Office's records indicates Petitioner's timely submission of the declaration and fee on June 21, 1999 should have been construed as a request for extension of time. Petitioner designated a deposit account from which the fee for extension of time could be withdrawn. Accordingly, deposit account number 16-2230 will be charged \$195.00 for the two month extension of time.

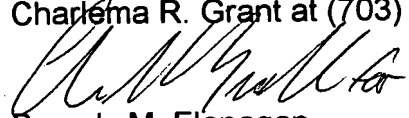
The Petitioner's request to have the petition considered under 37 CFR 1.137(b) is **dismissed as moot**. Therefore the petition to revive fee pursuant to 37 CFR 1.17(m) of \$620.00 for will be credited to deposit account number 06-1300.

An office action was mailed March 14, 2001 which set a three (3) month shortened statutory period for response. The time for response has not been tolled. Accordingly, Petitioner must either respond by the end of the three (3) months or file a request for extension of time. Failure to file a timely proper response will result in the abandonment of this application.

If Petitioner desires to receive future correspondence regarding this application, a change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to the address on the petition. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

This application is being forwarded to Technology Center 2600 for further processing.

Telephone inquiries concerning this matter should be directed to Petitions Attorney
Charlema R. Grant at (703) 306-0251.



Beverly M. Flanagan
Supervisory Petitions Examiner
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Office of the Deputy Commissioner
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